

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

JEFFREY MARTIN FELDMILLER and	:	Case No. 15-11089-TPA
SANDRA LEE FELDMILLER,	:	Chapter 13
<i>Debtors.</i>	:	
	:	
RONDA J. WINNECOUR,	:	Related to Doc. No. 74, 77
CHAPTER 13 TRUSTEE,	:	
<i>Movant,</i>	:	
v.	:	
NEWREZ, LLC D/B/A	:	Hearing: Feb. 3, 2021 at 10:00 A.M.
SHELLPOINT MORTGAGE	:	
SERVICING,	:	
<i>Respondent.</i>	:	

ORDER TO SHOW CAUSE

On December 9, 2020, a status conference was held on the ***Response to Notice of Final Cure Payment*** (“Response”) (Doc. 77). The Chapter 13 Trustee appeared at the hearing and explained that her calculation was, in fact, correct, and the *Response* filed by NewRez, LLC d/b/a Shellpoint Mortgage Servicing (“Lender”), was baseless. As a result, the Court approved the Trustee’s *Notice of Final Cure*. The Court, however, is extremely disappointed that Counsel for the Lender failed to appear at the hearing, especially considering the Court’s Order setting the hearing on the *Response* predicted this exact scenario of the Lender filing a Response without a reasonable basis, in violation of *Fed.R.Bankr.P. 9011*. This *Response* has wasted the Court’s time and further delayed the Debtors’ case from being completed. As a result, the Court cannot allow frivolous filings such as the *Response* to continue and will not allow its scheduling orders to remain ignored. Therefore,

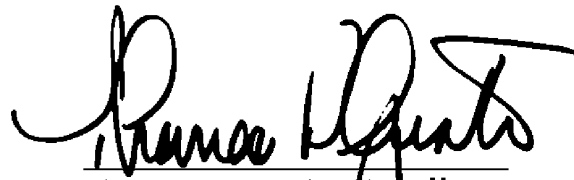
AND NOW, this **14th** day of **December, 2020**, for the reasons stated above and at the December 9th status conference, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

- (1) An **Order to Show Cause** is issued against:
 - (a) **Mukta Suri, Authorized Representative of NewRez, LLC d/b/a Shellpoint Mortgage Servicing,**
 - (b) **Jack Navarro, Chief Executive Office, Shellpoint Mortgage Servicing,** and
 - (c) A **Representative of NewRez, LLC d/b/a Shellpoint Mortgage Servicing**, with full knowledge of the filing of the *Response* and authority to bind NewRez, LLC regarding correction of this matter, respond to the Court's inquiries regarding the same, and describe the protective action taken by NewRez, LLC to assure this conduct does not occur in this future,

to **personally appear** at a hearing is scheduled for **February 3, 2021 at 10:00 A.M.** to be held by the **Zoom Video Conference Application** and explain why said parties should not be sanctioned, including but not limited to a monetary sanction and/or denial of its claim, for running afoul of *Fed.R.Bankr.Proc. 9011* by failing to properly investigate its claim before filing a response and failing to attend the December 9th hearing on the *Notice of Final Cure* (Doc. 74) and/or taking the necessary steps to withdraw its *Response* after the Court issued its November 2nd Order outlining the ramifications of failing to properly investigate the *Response* prior to filing or at the very least, after receiving notice of the Court's November 2nd Order.

(2) The Parties must comply with Judge Agresti's *Amended Notice of Temporary Modification of Appearance Procedures*, dated and effective June 10, 2020, which can be found on the Court's website at <https://www.pawb.uscourts.gov/sites/default/files/pdfs/tpa-proc-appearances.pdf>.

(3) **Initializing Zoom Hearing:** To join the Zoom hearing please initiate and use the following link at least 15 minutes prior to the scheduled hearing time: <https://www.zoomgov.com/j/16021303488>, or use the following Meeting ID: 160 2130 3488. For questions regarding the connection contact Judge Agresti's Staff Attorney Courtney Helbling, at 814-464-9781.



Thomas P. Agresti, Judge **ljm**
United States Bankruptcy Court

Case Administrator to serve:

Mukta Suri, Esq.
Bonial and Associates
14841 Dallas Parkway
Suite 425
Dallas, TX 75254
mukta.suri@bonialpc.com

Supervisor, Bankruptcy Department
NewRez, LLC
1100 Virginia Drive, Suite 125
Fort Washington, PA 19034

Jack Navarro, CEO
Shellpoint Mortgage Servicing
PO Box 10826
Greenville, SC 29603-0826

Ronda Winnecour, Chapter 13 Trustee
Michael Jan Janin, Esq.
Debtor

In re:
Jeffrey Martin Feldmiller
Sandra Lee Feldmiller
Debtor(s)

Case No. 15-11089-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Dec 14, 2020

User: dpas
Form ID: pdf900

Page 1 of 2
Total Noticed: 4

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 16, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Jeffrey Martin Feldmiller, Sandra Lee Feldmiller, 11755 Carter Road, Albion, PA 16401-9525
	Jack Navarro, CEO, Shellpoint Mortgage Servicing, PO Box 10826, Greenville, SC 29603-0826
	+ Mukta Suri, Esq., Bonial and Associates, 14841 Dallas Parkway, Suite 425, Dallas, TX 75254-8067
	+ NewRez, LLC, Supervisor, Bankruptcy Department, 1100 Virginia Drive, Suite 125, Fort Washington, PA 19034-3235

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 16, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 14, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Ditech Financial LLC bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING cwohlab@rascrane.com
James A. Prostko	on behalf of Creditor Ditech Financial LLC et. al. pawb@fedphe.com
James A. Prostko	on behalf of Creditor Ditech Financial LLC pawb@fedphe.com

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Jeffrey S. Dunn

jefdun@gmail.com

Joseph A. Dessoye

on behalf of Creditor Ditech Financial LLC et. al. pawb@fedphe.com

Joshua I. Goldman

on behalf of Creditor Ditech Financial LLC jgoldman@kmlawgroup.com
kevin.shatley@padgettlawgroup.com;angelica.reyes@padgettlawgroup.com

Michael S. Jan Janin

on behalf of Joint Debtor Sandra Lee Feldmiller mjanjanin@quinnfirm.com
mboni@quinnfirm.com;mmbquinnbankruptcy@gmail.com;mtrayer@quinnfirm.com;gbeeko@quinnfirm.com;knottingham@quinnfirm.com

Michael S. Jan Janin

on behalf of Debtor Jeffrey Martin Feldmiller mjanjanin@quinnfirm.com
mboni@quinnfirm.com;mmbquinnbankruptcy@gmail.com;mtrayer@quinnfirm.com;gbeeko@quinnfirm.com;knottingham@quinnfirm.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 11